

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

THE DRA PARTIES' OPENING EXPERT DISCLOSURES

COME NOW AmeriNational Community Services, LLC (the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, a Delaware limited liability company (the “Collateral Monitor,” and together with the Servicer, collectively, the “DRA Parties”), which serves as the collateral monitor for Wilmington Trust, N.A. in connection with the new bonds that the DRA issued pursuant to the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017, as amended by Act No. 147-2018, and the approved Qualifying Modification for the Government Development Bank for Puerto Rico (the “GDB”)² under Title VI of the *Puerto Rico Oversight, Management and*

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

² See Dkt. No. 270 of Civil Case No. 18- 01561 (LTS) (Nov. 7, 2018).

Economic Stability Act (“PROMESA”), by and through their undersigned legal counsel, and respectfully submit these Opening Expert Disclosures in accordance with the *Order Establishing Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* (the “Order”), [ECF No. 17640].³

EXPERT DISCLOSURES

1. The Order directs “all parties” to serve, by September 6, 2021, a disclosure identifying the expert witnesses they may call in connection with the confirmation proceedings of the *Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [ECF No. 17627] (as subsequently amended or modified, the “Plan”). Paragraph 19 of the Order further provides that, notwithstanding Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, such Opening Expert Disclosures need only disclose the identity of each expert and need not include an expert report. The Order establishes later deadlines for Opening Expert Reports, Rebuttal Expert Disclosures, and Rebuttal Expert Reports. The DRA Parties reserve all rights to submit such disclosures and reports at the times set by the Court.

2. Notwithstanding, the DRA Parties hereby disclose the identity of its opening expert witnesses and certain potential rebuttal expert witnesses:

- A. Michael Gardner (Managing Director), and/or Douglas J. Brickley (Managing Director) from The Claro Group, LLC, 711 Louisiana St., Suite 2100, Houston, TX 77002, regarding the clawback the Commonwealth conducted in purported reliance on article VI section 8 of the Puerto Rico Constitution;
- B. Lizette Martínez (Vice-President) from Lighthouse Consulting Group,

³ Unless otherwise indicated, all references to “ECF No.” herein refer to the docket of Case No. 17-BK-3283-LTS. All capitalized terms not otherwise defined herein have the meaning ascribed to them in the Order.

1201 West Peachtree Street NW, Suite 2400, Atlanta, GA 30309, regarding the flow of funds from the Commonwealth to HTA; and

C. David W. Prager (Managing Director and Head of U.S. Restructuring) from Kroll, LLC, 55 East 52nd Street, 17th Floor, New York, NY 10055, and/or Douglas J. Brickley (Managing Director) from The Claro Group, LLC, 711 Louisiana St., Suite 2100, Houston, TX 77002, who may provide rebuttal expert testimony regarding whether the Plan is feasible and in the best interests of creditors.

3. The DRA Parties reserve the right to identify additional or different rebuttal experts, in particular in response to other parties' Opening Expert Disclosures and Opening Expert Reports.

WHEREFORE, the DRA Parties respectfully request that the Court take notice of the foregoing.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 6th day of September, 2021.

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